



Broward County

Legislation Details (With Text)

File #: 22-1189 **Version:** 1

Status: Agenda Ready

In control: PORT EVERGLADES DEPARTMENT

On agenda: 8/25/2022 **Final action:** 8/25/2022

Title: MOTION TO APPROVE Memorandum of Agreement between the Department of the Army and Broward County, Florida, concerning the award of Fiscal Year 2022 Work Plan funds pursuant to Section 2106 of the Water Resources Reform and Development Act of 2014 to Broward County's Port Everglades Department in the amount of \$213,840 to carry out expanded uses and/or environmental remediation related to dredging berths and/or federal navigation channels; and authorize the Mayor and Clerk to execute same.

Sponsors:

Indexes: Established Commission Goals

Code sections:

Attachments: 1. Exhibit 1 - MOA With USACE For Donor Port Funding

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Jonathan Daniels

Department: Port Everglades

Division: Director's Office

Information

Requested Action

MOTION TO APPROVE Memorandum of Agreement between the Department of the Army and Broward County, Florida, concerning the award of Fiscal Year 2022 Work Plan funds pursuant to Section 2106 of the Water Resources Reform and Development Act of 2014 to Broward County's Port Everglades Department in the amount of \$213,840 to carry out expanded uses and/or environmental remediation related to dredging berths and/or federal navigation channels; and authorize the Mayor and Clerk to execute same.

Why Action is Necessary

Broward County Board of County Commissioners' approval is required for the execution of the Memorandum of Agreement.

What Action Accomplishes

Provides Broward County's Port Everglades Department with \$213,840 in federal funding to carry out expanded uses and/or environmental remediation related to dredging berths and/or federal navigation channels.

Is this Action Goal Related

Yes

Previous Action Taken

None

Summary Explanation/Background

THE PORT EVERGLADES DEPARTMENT RECOMMENDS APPROVAL.

This item supports the Broward County Board of County Commissioners' ("Board") Value of "Ensuring economic opportunities for all people and businesses in Broward" and the Goal to "Increase the economic strength and impact of revenue generating County enterprises balancing economic, environmental, and community needs."

Section 2106 of the Water Resources Reform and Development Act of 2014 ("WRRDA") established a "donor port" program to address disparities between the amount of Harbor Maintenance Tax collected at some ports and the dollars spent from the Harbor Maintenance Trust Fund at that port. Ports receiving less than 25% of the taxes collected at that port and meeting certain other criteria were designated as "donor ports."

The U.S. Army Corps of Engineers ("USACE") Fiscal Year 2022 Work Plan included \$213,840 for Port Everglades as a qualified "donor port." Activities that Port Everglades may use these funds for include: maintenance dredging of non-federal berthing areas and access channels; placement of material dredged from berthing areas and access channels; maintenance dredging and placement of legacy-contaminated sediment and sediment unsuitable for open water placement, if such dredging and placement would benefit commercial navigation at the harbor and such sediment is located in and affects the maintenance of a federal navigation project; necessary engineering, design, and supervision and administration, including hydrographic surveys; dredged material testing and monitoring; permitting; and environmental documentation. A Memorandum of Agreement ("MOA") is required to transfer the funds to Port Everglades.

The MOA has been reviewed and approved as to form by the Office of the County Attorney and will be executed by the federal government after approval by the Board. The MOA is on the federal government's form and does not include the County's standard terms and conditions.

Source of Additional Information

David Anderton II, AICP, PPM, Assistant Director, Port Everglades Department, (954) 468-0144

Fiscal Impact

Fiscal Impact/Cost Summary

Receipt of these funds had previously been budgeted in the Port Everglades Department Capital Fund.